



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/746,543	12/20/2000	Paul Daniel Parker	25480/24565	3542

21888 7590 10/20/2003

THOMPSON COBURN, LLP
ONE US BANK PLAZA
SUITE 3500
ST LOUIS, MO 63101

EXAMINER

KWOK, HELEN C

ART UNIT PAPER NUMBER

2856

DATE MAILED: 10/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/746,543

Applicant(s)

PARKER ET AL.

Examiner

Helen C. Kwok

Art Unit

2856

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 4,5,9,13,14 and 16-30 is/are rejected.
- 7) ☒ Claim(s) 1-3, 6-8, 10-12 and 15 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3 and 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 2856

DETAILED ACTION

Claim Objections

1. Claims 1-30 are objected to because of the following informalities. Appropriate correction is required.

In claim 1, line 3, the phrase "a wheel/tire" should be changed to -- the wheel/tire --. In line 5, what is the word "its" referring to?

In claim 6, line 2, the phrase "the change" should be changed to -- a change --.

In claim 12, line 2, the phrase "the effect" should be changed to -- an effect --.

In claim 17, line 3, the phrase "a wheel/tire" should be changed to -- the wheel/tire --. In line 4, what is the word "its" referring to? In line 8, the phrase "determining the" should be changed to -- determining --.

In claim 22, line 2, the phrase "the change" should be changed to -- a change --.

In claim 24, line 3, the word -- said -- should be inserted after the word "with".

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Art Unit: 2856

3. Claims 4-5, 9, 13-14 and 16-30 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 4, line 2, the phrase “the tire” lacks antecedent basis

In claim 5, line 3, the phrase “the desired tire stiffness value” lacks antecedent basis.

In claim 9, line 3, the phrase “the operator” lacks antecedent basis.

In claim 13, line 2, the phrase “the runout” lacks antecedent basis. In line 2, the phrase “the wheel rim” lacks antecedent basis. In line 2, the phrase “the bead seat” lacks antecedent basis. In line 4, the phrase “the measured loaded radial runout” lacks antecedent basis. In lines 5 and 6, the phrase “the tire” lacks antecedent basis.

In claim 14, line 2, the phrase “the user” lacks antecedent basis.

In claim 16, line 2, the phrase “the determination of loaded runout” lacks antecedent basis.

In claim 17, line 11, the phrase “the tire” lacks antecedent basis.

In claim 20, line 2, the phrase “the user” lacks antecedent basis.

In claim 21, line 3, the phrase “the desired tire stiffness value” lacks antecedent basis.

In claim 26, line 2, the phrase “the determined imbalance” lacks antecedent basis.

In claim 27, lines 1-2, the phrase “the runout” lacks antecedent basis. In line 2, the phrase “the wheel rim” lacks antecedent basis. In line 2, the phrase “the bead seat” lacks antecedent basis. In line 3, the phrase “the tire” lacks antecedent basis.

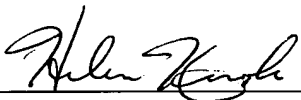
Art Unit: 2856

In claim 28, lines 1-2, the phrase "the user" lacks antecedent basis.

In claim 29, lines 1-2, the phrase "the user" lacks antecedent basis.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Helen Kwok whose telephone number is (703) 308-8149.


Helen C. Kwok
Art Unit 2856

hck
October 10, 2003